

PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue of Application of:
BILL L. DAVIS and JESSE S. WILLIAMSON

For Reissue of U. S. Patent 5,630,393
Issued May 20, 1997
Serial No. 08/515,097

Filing Date: May 20, 1999

Serial No: 09/315,796

For: COMBINED LITHOGRAPHIC/
FLEXOGRAPHIC PRINTING
APPARATUS AND PROCESS

Group Art Unit:
54
RECEIVED
Filing
2000
LITHOGRAPHIC CENTER 2800

FOURTH SUPPLEMENTAL DECLARATION OF RAYMOND J. PRINCE

I, Raymond J. Prince, declare and state under penalties of perjury the following.

1. I am the same Raymond J. Prince who has testified in previous declarations and wish to reaffirm my previous, sworn testimony.
2. I have been provided a copy of a brochure, Exhibit "A" hereto (the "RDP brochure") entitled "LF•200 Litho/Flex Press" by RDP Marathon, Inc., a foreign corporation said in the brochure to have been located at 2583 Chomedey Blvd., Laval (Montreal) Quebec H7T 2R2 Canada.
3. I am not sure from the brochure when it was printed, let alone distributed to the public. From the notation "94-08-5M", it appears 5000 copies might have been printed in August, 1994.
4. I have studied the RDP fold-out brochure, which when copied on 8-1/2" sheets amounts to six sheets and neither (a) the diagram on 1.6 above the heading "General Specifications" with the RDP addresses nor (b) the picture at the top of pages 2-4 teach a press having an interstation flexographic "station". The diagram on page 6 above "General Specifications" clearly shows a press with a flexographic station. The fold-out diagram (pp 2-4)

also does not teach, in my opinion a interstation flexographic step. The two canisters at the bottom of the diagram on pp 2-3 could be supplying any type of ink, grease, varnish, coating or other liquid. They canisters could be anything.

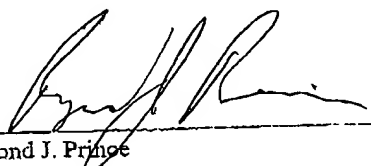
5. I note the language below the diagram at page 2 "interchangeable web offset and flexo graphic printing inserts. Does the quoted portion teach replacing any interstation offset unit with any interstation interchangeable flexo unit? Not, unless by hindsight. The picture on page 2 of the press could teach anything the reader wants it to teach by hindsight. It could read as showing a lithographic station and UV drying, or it could be read advantageously by an adversary of the '363 patent as teaching interstation flexography. No reason is given anywhere in the brochure why one would want to go "upstream", "up front" in a lithographic press with a flexo unit, as there is no express teaching of interstation drying for flexography, or for that matter, printing flexo on top of litho.

6. I called RDP in Canada and spoke to one of its representative. He said the press is still being made and is available in a 20" width with various cutoff lengths. I asked him if the flexo units are popular and the answer was yes. I asked if the flexo units were usually running waterbased materials or UV - answer was only UV inks or UV coatings. I asked the usual position of the flexo units - his answer was the last one or two units. I asked if they had ever made or sold a press with the flexo unit as the first unit - answer was no but he felt it could be done. I asked if the flexo units were ever placed mid press- answer was that he was not sure if they had ever done that. The representative told me he has never seen flexo run "up front", and seemed to be surprised at my question. I take it from my conversation with this Canadian national that he had never delivered an LF-200 with an interstation flexo unit need "up front" to a customer in the United States or elsewhere.

7. One must remember that this is a web packaging press in which heavy coverage is normally applied to low surface strength paper or board at the end of the printing process. The intended purpose for this press is *commodity packaging*, i.e., soup cans. Note the soup can

photos on page 5 of Exhibit "A". The purchaser of the press in late 1994 would have no reason to ever conceive by putting flexo down first to print a dot. In fact, the heavier coverages associated with the flexo process, in 1994, are and still today, best employed downstream.

The undersigned Declarant stated further that all statements made herein of Declarant's own knowledge are true, and that all statements made on information and belief are believe to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.


Raymond J. Prince

Date: 9/27/2000

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